

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. FEB 12 1990  
 Returned to applicant for correction. MAR 16 1990  
 Corrected application filed. APR 23 1990 Map filed. MAY 11 1990

The applicant. Ruby Lister  
 P.O. Box 402 of Pioche  
 Nevada 89043  
 State and Zip Code No. hereby make application for permission to change the  
 Place of Use  
 Point of diversion, manner of use, and/or place of use  
 of water heretofore appropriated under. Application 49671  
 Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
 identify right in Decree.

- The source of water is. underground  
 Name of stream, lake, underground spring or other source.
- The amount of water to be changed. 6.0 c.f.s.  
 Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for. Irrigation  
 Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for. Irrigation  
 Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point. within the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 21, T2N,  
 Describe as being within a 40-acre subdivision of public survey and by course and  
 R67E, M.D.B.&M., from which the Northwest Corner of said Section 21 bears N 70°  
 distance to a section corner. If on unsurveyed land, it should be stated.  
 52' W a distance of 3,111.91 feet.
- The existing permitted point of diversion is located within. No change  
 If point of diversion is not changed, do not answer.
- Proposed place of use. NW $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 21, and the NW $\frac{1}{4}$  NW $\frac{1}{4}$ ,  
 SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
 NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 22, all within T2N, R67E, M.D.B.&M., Lincoln County, Nevada,  
 containing 360 acres
- Existing place of use. The SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 15; NW $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$ ,  
 Section 21; NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
 SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 22, all within T2N, R67E, M.D.B.&M., Lincoln County,  
 manner of use of irrigation permit, describe acreage to be removed from irrigation.  
 Nevada, containing 320 acres.
- Use will be from. January 1st to. December 31st of each year.  
 Month and Day Month and Day
- Use was permitted from. January 1st to. December 31st of each year.  
 Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
 specifications of your diversion or storage works.) well, pump, casing and piping utilized to  
 State manner in which water is to be diverted, i.e. diversion structure,  
 service pivot type sprinkler system  
 ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works. \$30,000.00
- Estimated time required to construct works.

14. Estimated time required to complete the application of water to beneficial use..... 4 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Application will cover irrigation to lands covered by D.L.E. application and acquisition of 40-acre tract obtained in private purchase.

s/Ruby Lister  
By Box 402  
Pioche, NV 89043

Compared bp/ vjw cl/cms

Protested.....

**APPROVAL** OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of an underground source as heretofore granted under Permit 49671 is issued subject to the terms and conditions imposed in said Permit 49671 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is totally abrogated by the issuance of Permit 59144.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.4 cubic feet per second, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources, but not to exceed 1,280.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before July 24, 1997

Proof of completion of work shall be filed before July 24, 1997

Application of water to beneficial use shall be made on or before July 24, 1997

Proof of the application of water to beneficial use shall be filed on or before July 24, 1997

Map in support of proof of beneficial use shall be filed on or before July 24, 1997

Completion of work filed..... IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed..... office, this 24th day of July

Cultural map filed..... A.D. 1997

Certificate No. .... Issued.....  
R. Michael Turnipseed, P.E.  
State Engineer

Abrogated By 59144 5.4